

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

EVAN DENHAM, Individually and on behalf
of all Others Similarly Situated,

Plaintiff,

v.

EIGHT ELEVEN GROUP, LLC f/k/a
TECHNICAL YOUTH, LLC,

Defendant.

Civil Action No. 3:22-cv-00531-JAG

**[Proposed] ORDER GRANTING UNOPPOSED MOTION FOR SETTLEMENT
APPROVAL**

COMES NOW, Plaintiff Evan Denham (“Named Plaintiff”), on behalf of himself and all others similarly situated, (“Plaintiffs”), by counsel, and respectfully requests the entry of this order. Having reviewed the Unopposed Motion for Settlement Approval (the “Motion”), the Memorandum of Law in support thereof, and the parties’ Joint Stipulation and Settlement Agreement (the “Agreement”), and for the reasons stated in the unopposed submission(s), the Court GRANTS the Motion and approves the parties’ settlement as a fair and reasonable resolution of a bona fide dispute over Fair Labor Standards Act (“FLSA”) claims consistent with *Lynn’s Food Stores, Inc. v. United States*, 679 F.2d 1350 (11th Cir. 1982).

Accordingly, it is hereby ORDERED that the Agreement reached by the parties is approved and shall take effect as set forth in the Agreement. It is further ORDERED:

- 1) That all the terms of the Agreement are approved as “a fair and reasonable resolution of a bona fide dispute over FLSA provisions.” *Lynn’s Food Stores, Inc. v. United States*, 679 F.2d 1350, 1355 (11th Cir. 1982).

2) That the parties' selected Settlement Administrator, ALCS, shall perform the settlement administration tasks set forth in the Agreement, including *inter alia* issuing the Notice of Settlement, accepting and processing Claim Forms and I.R.S. Form W-9s submitted by Putative Collective Action Members, issuing Settlement Payments to Participating Collective Action Members, and making required tax reportings and issuing tax forms associated with the settlement.

3) That Defendant shall fund the settlement consistent with the Parties' Agreement, and the Parties' selected Settlement Administrator shall disburse those funds in a manner consistent with the Agreement.

4) That consistent with the Agreement, upon entry of this Order, Plaintiff's Counsel will take all necessary steps to dismiss this matter with prejudice with both parties stipulating to no appeal.

5) That this Court retains jurisdiction to enforce the terms of the settlement pursuant to *Kokkonen v. Guardian Life Insurance Co. of America*, 511 U.S. 375 (1994).

SO ORDERED this ____ day of ____ 2023.

Hon. John A. Gibney, Jr.
Senior United States District Judge

We Ask for this:

/s/ Zev Antell

Harris D. Butler, III (VSB No. 26483)
Craig Juraj Curwood (VSB No. 43975)
Zev H. Antell (VSB No. 74634)
Butler Curwood, PLC
140 Virginia Street, Suite 302
Richmond, Virginia 23219
Tel: (804) 648-4848
Fax: (804) 237-0413
harris@butlercurwood.com
craig@butlercurwood.com
zev@butlercurwood.com

Counsel for Plaintiffs